



California Regional Water Quality Control Board

Santa Ana Region

Winston H. Hickox

Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
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Gray Davis
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.*

AGENDA AMENDMENT

REGIONAL BOARD PANEL HEARING

Friday, October 3, 2003

City Council Chambers

25541 Barton Road

Loma Linda

NOTICE

To view the agenda for the regular meeting of October 3, 2003, go to
<http://www.swrcb.ca.gov/rwqcb8/pdf/10-03-03/031003a.pdf>.

Supporting documents for agenda items are now posted on our website. To view or
download the documentation, go to <http://www.swrcb.ca.gov/rwqcb8/pdf/10-03-03/031003a.pdf> and select the item of interest.

Panel Hearing, Kaiser Resources, Inc. — A Panel of three Board Members will conduct a hearing to determine whether Kaiser's degraded groundwater plume is the cause of adverse impacts on a municipal well owned by the City of Ontario, and whether Kaiser is obligated to mitigate any adverse impacts pursuant to the terms of a Settlement Agreement between Kaiser and the Board. The hearing will be conducted in accordance with Water Code Section 13228.14.

This item was previously listed on the Board's regular meeting agenda for October 3, 2003 as Item No. 9. The hearing before the Board Panel will commence immediately after adjournment of the regular Board meeting.





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AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday, October 3, 2003

9:00 A.M.

City Council Chambers

25541 Barton Road

Loma Linda

NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to www.swrcb.ca.gov/rwqcb8 and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to www.swrcb.ca.gov/rwqcb8 and select the item of interest.

1. **Introductions**
2. **Public Forum** — (Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item which is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a five—minute time limit.)
3. **[Approval of minutes of the Regular Meeting of August 22, 2003.](#)**
{Barbara J. Laffoon 909/782-3285 blaffoon@rb8.swrcb.ca.gov}
4. **Consideration of Consent Calendar Items.** (Items marked with an asterisk are expected to be routine and noncontroversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the calendar, it will be taken up in the order shown.)



- *5. **Amendment of Waste Discharge Requirements, Order No. R8-2003-0028, Bordier's Nursery, Inc., Orange County** — to clarify certain discharge specifications and provisions of the Order and revising the Monitoring and Reporting Program No. R8-2003-0028.
{Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov} Order No. R8-2003-0065
- *6. **Waste Discharge Requirements, Bruce Hohn/AVMGH II Limited Partnership, Temescal Creek Remediation Project/Inert Waste Disposal, Corona, Riverside County** — For the removal and relocation of inert fill materials from Temescal Creek to designated areas within the Hohn Property.
(Dixie Lass 909-782-3295 dlass@rb8.swrcb.ca.gov) Order No. R8-2003-0103
- *7. **Amendment of General Waste Discharge Requirements, Order No. R8-2002-0007 (NPDES No. CAG918001) and Order No. R8-2002-0033** — Amending these general groundwater cleanup permits for the discharge to surface waters and for the reinjection/percolation, respectively, of extracted and treated groundwater resulting from the cleanup of groundwater polluted by petroleum hydrocarbons, solvents and/or petroleum hydrocarbons mixed with lead and/or solvents within the Santa Ana Region, to add effluent limitations for 1,4 dioxane, perchlorate, and cis and trans 1,2-dichloroethylene, to correct maximum daily effluent limitations and to incorporate a compliance determination procedure for tert-butyl alcohol (TBA) effluent limitations. {Postponed from August 22, 2003}
{Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov} Order No. R8-2003-0085
- *8. **Amendment of Cease and Desist Order No. 00-87** — Amending the order that requires the cessation of direct discharges of waste to Crystal Cove, a portion of the Irvine Coast Area of Special Biological Significance (ASBS), to extend the date by which discharges from areas (including roadways), where construction began on or before November 16, 1996, must cease, from November 16, 2003 (as amended by WQ 2001-08) to February 28, 2005.
{Mark E. Smythe 909/782-4998 msmythe@rb8.swrcb.ca.gov} Order No. R8-2003-0107
9. **Kaiser Resources, Inc.** — The Board will conduct a hearing to determine whether Kaiser's degraded groundwater plume is the cause of adverse impacts on a municipal well owned by the City of Ontario, and whether Kaiser is obligated to mitigate any adverse impacts pursuant to the terms of a settlement agreement between Kaiser and the Board (action item).
{Kurt V. Berchtold 909/782-3286} Resolution No. R8-2003-0109
10. **Administrative Civil Liability Complaint, Standard Pacific, Inland Division, San Bernardino County** — The Board will consider whether to affirm, reject or modify the proposed civil liability complaint for violation of the General Permit for Storm Water Discharges Associated with Construction Activity.
{Milasol C. Gaslan 909/782-4419 mgaslan@rb8.swrcb.ca.gov}
Administrative Civil Liability Complaint No. R8-2003-0100
11. **Mandatory Penalties Complaint, Thrifty Oil Company, Orange County** — The Board will consider whether to affirm the proposed mandatory penalty complaint for multiple violations of effluent limitations established in Waste Discharge Requirements, Order No. R8-2002-0007.
{Kenneth R. Williams 909/782-4496 kwilliams@rb8.swrcb.ca.gov}
Mandatory Penalties Complaint No. R8-2003-0091
12. **Mandatory Penalties Complaint, USA Gasoline Corporation, San Bernardino County** — The Board will consider whether to affirm the proposed mandatory penalty complaint for multiple violations of effluent limitations established in Waste Discharge Requirements, Order No. R8-2002-0007.
{Kenneth R. Williams 909/782-4496 kwilliams@rb8.swrcb.ca.gov}
Mandatory Penalties Complaint No. R8-2003-0093

13. **Mandatory Minimum Penalty Complaint, BASF, Orange County** — The Board will consider whether to affirm, reject, or modify the proposed mandatory penalties complaint for violations of the California Water Code Section 13385(h) and (i).
Mandatory Penalty Complaint No. R8-2003- 0079
{Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov}
14. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation** — Staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item).
{Ann E. Sturdivant 909/782-4904 asturdiv@rb8.swrcb.ca.gov}
15. **Appointment of a Committee to Nominate Regional Board Officers for 2003** (action item).
{Barbara J. Laffoon 909/782-3285 blaffoon@rb8.swrcb.ca.gov}
16. **Board Meeting Dates and Locations for 2003** —The Board will discuss a tentative calendar of meeting dates and locations for 2003. The calendar will be considered for adoption at the November 21, 2003 meeting (information item).
{Barbara J. Laffoon 909/782-3285 blaffoon@rb8.swrcb.ca.gov}
17. **Hazardous Waste and Sewage Spill Incident Report** — Lists of such incidents will be provided as an information item to the Regional Board (information item).
{Kurt V. Berchtold 909/782-3286 kberchto@rb8.swrcb.ca.gov}
18. **Underground Storage Tanks Site Closure Report** — Regional Board Staff will provide to the Board a list of site closures that have occurred within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728(d)(information item).
{Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov}
19. **Underground Storage Tanks Corrective Action Plans** — Regional Board Staff will provide a list of sites where Corrective Action plans have been submitted within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728 (information item).
{Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov}
20. **Executive Officer's Report** (information item).
{Gerard J. Thibeault 909/782-3284 gthibeau@rb8.swrcb.ca.gov}
21. **Regional Board Member Communications** — Board Members may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.
22. **Closed Session:** At any time during the regular session, the Regional Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced during a hearing. Discussion of litigation is within the attorney/client privilege and may be held in closed session.

Authority: Government Code Section 11126 (a), (c)(3), and (e). Items which may be discussed in closed session by the Board include litigation related to:

1. Stringfellow Hazardous Waste Site
2. Potential litigation: Discussion of Executive Officer's referral to the District Attorney of Clean Water Act violations for criminal prosecution.
3. Kwikset Corporation v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 391541.

4. Emhart Industries, Inc. v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 397528.
 5. Yucaipa Glen LLC
 6. Potential litigation: Cities of Rancho Cucamonga and Upland v. California Regional Water Quality Control Board, Santa Ana Region, and State Water Resources Control Board, Superior Court for San Bernardino County, Case No. RCV 071613.
 7. Waste Discharge Requirements for the Rapid Infiltration and Extraction Facility (RIX).
23. **Adjournment** to the regular meeting of November 21, 2003, at 9:00 a.m., at the Eastern Municipal Water District.

NOTICES

Any person who has a disability and requires special accommodation to participate in this Regional Board Meeting should contact Barbara Laffoon blaffoon@rb8.swrcb.ca.gov or at 909/782-3285 no later than ten (10) days prior to meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at (909) 782—3234.

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Internet Address: <http://www.swrcb.ca.gov/rwqcb8>

BOARD INFORMATION SHEET

BOARD MEMBERS

Carole H. Beswick, Chair
Fred M. Ameri, Vice-Chair
John B. Withers
Jose J. Solorio
Seymour D. Van Gundy
Joan L. Dotson
William Ruh
Vacant
Vacant

APPOINTMENT CATEGORY

County Government
Industrial Water Use
Water Quality
Municipal Government
Water Quality
Water Supply
Recreation, Fish and Wildlife
Irrigated Agriculture
Undesignated (Public)

STATE BOARD LIAISON

Peter S. Silva

STAFF LEGAL COUNSEL

Jorge Leon

REGIONAL BOARD SENIOR STAFF

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer, Ombudsman
Joanne E. Schneider, Environmental Program Manager
Robert L. Holub, Supervising Water Resource Control Engineer
Michael J. Adackapara, Supervising Water Resource Control Engineer
Gary D. Stewart, Chief of Surveillance and Enforcement
Dixie B. Lass, Chief of Land Disposal
Stephen D. Mayville, Chief of Dairies/Chino Basin
Wanda Marquis-Smith, Chief of Basin Planning - Coastal Waters
Hope A. Smythe, Chief of Basin Planning - Inland Waters
Mark G. Adelson, Chief of Regional Planning Programs
Mark E. Smythe, Chief of Stormwater - Coastal
Milasol C. Gaslan, Chief of Stormwater - Inland
Jun Martinez, Chief of Regulations
Ann E. Sturdivant, Chief of SLIC/Department of Defense
Kenneth R. Williams, Chief of Pollutant Investigations
Dorothy Wolfinbarger, Regional Administrative Officer
Barbara Laffoon, Executive Assistant

GENERAL STATEMENT

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board and the staff welcome information on pertinent problems but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled meeting and only a summary of pertinent issues to be presented verbally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition must be received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.
